

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

No. CR -S-05-365 WBS

v.

JAMES D. BURKE and  
LINDA M. BURKE,

**RELATED CASE ORDER**

Defendants.

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MICHAEL P. DACQUISTO,  
Plaintiff,

No. CIV -S-03-112 FCD

v.

LINDA M. BURKE, JAMES D.  
BURKE & LINDA M. BURKE  
TRUST, JAMES BURKE & COMPANY,  
VISTA PROPERTY DEVELOPMENT,  
BLUE RIDGE PROPERTIES, LLC,  
LIQUID TRANSFERS, LLC,  
INTERLINK, LLC, AND MAUREEN  
BOSSY,

Defendants.

\_\_\_\_\_  
Examination of the above-entitled actions reveals that they are related within the meaning  
of Local Rule 83-123(a) (E.D. Cal. 1997). The actions involve many of the same defendants and

1 are based on the same or similar claims, the same property transaction or event, similar questions  
2 of fact and the same questions of law, and would therefore entail a substantial duplication of  
3 labor if heard by different judges. Accordingly, the assignment of the matters to the same judge  
4 is likely to effect a substantial savings of judicial effort and is also likely to be convenient for the  
5 parties.

6 The parties should be aware that relating the cases under Local Rule 83-123 merely has  
7 the result that these actions are assigned to the same judge; no consolidation of the actions is  
8 effected. Under the regular practice of this court, related cases are generally assigned to the  
9 judge and magistrate judge to whom the first filed action was assigned.

10 IT IS THEREFORE ORDERED that the actions denominated, CR S-05-365 WBS are  
11 reassigned to Judge Frank C. Damrell, Jr. for all further proceedings, and any dates currently set  
12 in these reassigned cases only are hereby VACATED. Henceforth, the caption on documents  
13 filed in the reassigned cases shall be shown as, CR S-05-365 FCD. The status conference set  
14 before the Honorable William B. Shubb for October 12, 2005 is VACATED and RESET before  
15 the Honorable Frank C. Damrell Jr. for Tuesday, October 11, 2005 at 9:30 a.m.

16 IT IS FURTHER ORDERED that the Clerk of Court make appropriate adjustment in the  
17 assignment of criminal cases to compensate for this reassignment.

18 IT IS SO ORDERED.

19 DATED: September 21, 2005

20 /s/ Frank C. Damrell Jr.  
21 FRANK C. DAMRELL, Jr.  
22 United States District Judge  
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